
EPA Lists Objections to Steel Plant Water Permit

U.S. Steel NPDES Permit

Gary, Indiana

December 2007

Comments sought

Written comments on EPA's objections to the draft NPDES permit for U.S. Steel's Gary Works and comments on the permit in general will be accepted by mail, e-mail and fax or can be posted to Region 5's Web site, www.epa.gov/region5/publiccomment/, until Dec. 28, 2007. Comments should be sent to:

David Soong

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Both written and oral comments will be accepted at the public hearings.

Public hearings

When: Tuesday, Dec. 11, 2007

Where: Savannah Center

Auditorium, Indiana University
Northwest, 3400 Broadway Ave.,
Gary, Ind., (enter from 33rd Street).

Two identical hearing sessions:

3 p.m. to 5 p.m.

6 p.m. to 8:30 p.m.

More information

General information and documents concerning the permit and public hearings are available at Gary Public Library, 220 W. Fifth St., online at www.epa.gov/region5/sites/ussteel, and at EPA Region 5's Chicago Office (contact David Soong to make an appointment).

U.S. Environmental Protection Agency is objecting to Indiana's draft wastewater discharge permit for U.S. Steel Corp.'s plant in Gary, Ind. EPA's objections must be resolved by Indiana Department of Environmental Management before the National Pollutant Discharge Elimination System permit is issued. The Agency is holding a public hearing on the issue Dec. 11 in Gary, and a public comment period is running from Nov. 9 through Dec. 28. See the adjacent box for ways you can participate in the permit consideration process.

U.S. Steel's Gary Works is the largest fully-integrated steel mill in North America and is able to produce more than 8 million tons of raw steel per year. Gary Works discharges water used in its operations into both the Grand Calumet River and Lake Michigan.

NPDES permits

The Clean Water Act requires those responsible for discharges from any point source into the "waters of the United States" to obtain a NPDES permit. The permit contains the conditions the applicant must meet in order to comply with the Clean Water Act to safeguard public health and the environment. In Indiana, IDEM has the authority to issue NPDES permits for wastewater discharges within the state. However, EPA may object to the issuance of a permit when in the Agency's opinion it does not comply with the requirements of federal laws. EPA objected to several provisions of Indiana's draft U.S. Steel permit:

- The draft permit contains five-year compliance schedules for the achievement of wastewater discharge limits for several pollutants. It also contains a one-year schedule for installation of temperature monitoring equipment and a three-year schedule for compliance with current wastewater temperature limits. The state has not demonstrated these schedules are appropriate. The Clean Water Act requires compliance as soon as possible.
- U.S. Steel's draft permit does not contain wastewater limits for a number of pollutants that Indiana has determined to have "reasonable potential" to violate its state water quality standards
- The draft permit allows increased discharges of certain pollutants and establishes new limitations for others. It is not clear that these increases are appropriate under state standards
- The Clean Water Act requires facilities minimize adverse environmental effects of cooling water intake structures. This permit does not contain conditions to ensure this requirement is met, and the state has not explained why these were not included
- The state needs to correct discrepancies between the draft permit and an accompanying document outlining technology-based, wastewater discharge limits

Steel mill one of nation's largest

The purpose of the hearings is for environmental regulators to listen to comments about EPA's objections to the draft permit. Comments on other aspects of the draft permit will also be accepted. Written and oral comments will be accepted after a brief presentation by EPA officials. Regional Administrator Mary A. Gade will chair the public hearing.

EPA has decided to hold these hearing sessions and take public comments because U.S. Steel Gary Works is one of the largest steel mills in the country and there is tremendous public interest in how it affects the Lake Michigan basin. Indiana issued a public notice on the draft U.S. Steel permit in July and held public meetings in August and September.

Requests for a public hearing

EPA received requests for a public hearing from dozens of concerned citizens and public officials in Indiana and Illinois including representatives for Chicago Mayor Richard J. Daley and Illinois Attorney General Lisa Madigan; Chicago Park District CEO Timothy Mitchell; U.S. Sens. Richard Durbin and Barack Obama of Illinois; U.S. Sens. Richard G. Lugar and Evan Bayh of Indiana; U.S. Reps. Danny Davis, Rahm Emanuel, Luis Gutierrez, Mark Kirk, Bobby Rush and Peter Roskam of Illinois; U.S. Rep. Peter Visclosky of Indiana, U.S. Reps. Fred Upton and Vernon Ehlers of Michigan; and Cook County (Ill.) Commissioner Mike Quigley.

The following 12 environmental and public interest groups also asked for a hearing: Legal Environmental Aid Foundation of Indiana Inc., Save the Dunes Council, Hoosier Environmental Council, National Resources Defense Council, Indiana Wildlife Federation, Indiana Division of the Izaak Walton League of America, Environmental Law and Policy Center, Sierra Club-Hoosier Chapter, Alliance for the Great Lakes, League of Women Voters of Northwest Indiana, People Opposed to Wastewater Without Enough Review and Environment Illinois.

Next Steps

EPA will review all comments after the public comment period closes Dec. 28. This process may take quite some time, depending on the volume and nature of the comments. EPA will then prepare a document called a "Responsiveness Summary," which will respond to all comments and will be posted on the Region 5 Web site.

At the same time, EPA will tell IDEM whether it plans to reaffirm, modify or withdraw its objections. That letter will also be posted on the Region 5 Web site. If EPA reaffirms or modifies its objections, Indiana will have 30 days to submit a revised permit that addresses EPA's objections.

If IDEM does not submit such a revised permit, then EPA will be responsible for issuing a permit to U.S. Steel.

In other U.S. Steel developments ...

U.S. Steel's \$60 million dredging of the Grand Calumet River was completed in early December. In a 1998 agreement with EPA, the company said it would remove polluted sediment (mud) from a five-mile stretch of the Grand Cal, which is adjacent to the Gary Works.

More than 815,000 cubic yards of sediment contaminated with heavy metals, various chemicals, PCBs and other pollutants was removed and disposed of in a 36-acre containment unit on U.S. Steel property. EPA believes this project will greatly aid the effort to improve the Grand Calumet River, a Great Lakes Area of Concern. Areas of Concern are high-priority locations on the Great Lakes that the United States and Canada have designated as having severe environmental problems, mostly due to contaminated sediment.